

REMARKS

A Petition for Extension of Time is being concurrently filed with this Amendment. Thus, this Amendment is being timely filed (wherein January 7, 2007, falls on a Sunday).

Applicants respectfully request the Examiner to reconsider the present application in view of the following remarks.

Status of the Claims

Claims 1-18 are pending in the present application. No claims are being amended, added or canceled in this Reply. Thus, a listing of the claims is not needed.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

Issues Under 35 U.S.C. § 102(b)/§ 103(a)

Claims 1-18 stand rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as being unpatentable over the combination of Tsukada *et al.* (U.S. Publication No. 2002/0058220 A1; hereinafter “Tsukada *et al.* ‘220”) (see paragraphs 5-6 of the outstanding Final Office Action). Applicants respectfully traverse.

Applicants respectfully refer the Examiner to the claim for priority to Tsukada *et al.* ‘220 (which is Application Serial No. 09/953,958) and the Petition under 37 C.F.R. § 1.78(a)(3) being concurrently filed with this Reply. With the present application having the benefit of priority to Tsukada *et al.* ‘220, Tsukada *et al.* ‘220 is not prior art. Thus, these rejections have been overcome. Reconsideration and withdrawal of these rejections are respectfully requested.

Conclusion


A full and complete response has been made to all issues as cited in the Office Action. Applicants have taken substantial steps in efforts to advance prosecution of the present application. Thus, Applicants respectfully request that a timely Notice of Allowance issue for the present case.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez (Reg. No. 48,501) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: January 8, 2007

Respectfully submitted,

By 

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Attachment: Petition under 37 C.F.R. § 1.78(a)(3) for Acceptance of Unintentionally Delayed Claims for Priority